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NOTICE IS HEREBY GIVEN that pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff, Sutter Home Winery, Inc., voluntarily dismisses the above-captioned action without prejudice. Dated: Respectfully submitted, DICKENSON, PEATMAN & FOGARTY David Balter 809 Coombs Street Napa, California 94559 Telephone: 707-252-7122 Facsimile: 707-255-6876 Attorneys for Plaintiff, Sutter Home Winery, Inc.

